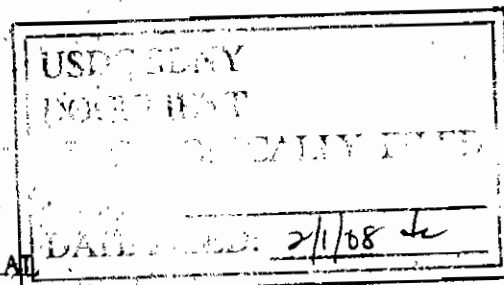




STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



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January 31, 2008

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BY FACSIMILE

Honorable Barbara S. Jones
United State Courthouse
Southern District of New York
500 Pearl Street, Rm. 620
New York, New York 10007

Re: Laurie Kellogg v. NYS Dept. of Correctional Services, et al. /07 Cv. 2804 (BSD)(GWG)

Dear Judge Jones:

I represent defendants Armstrong, Ball, Barclay, Duncan, Goldstein, Fisher (substituted for defendant Goord), Nuttal (substituted for defendant Headley), LeClaire, Lord, Raymond (substituted for defendant Masterson), McElroy, Notaro, Perez, Roger, Schneider, Smith and Wright. With the consent of plaintiff's counsel, I write to respectfully request a one week extension of time, from February 1, 2008 to February 8, 2008, in order to file defendants' reply brief in further support of their motion to dismiss the complaint.

The additional time is being requested so that I may obtain executed declarations in support of defendants' motion which have become necessary based on plaintiff's opposition papers. This is defendants' first request for an extension of time with respect to their reply brief. Due to the numerous claims raised in the complaint and the issues raised in defendants' motion to dismiss, I also respectfully request that the page limit for defendants' reply be extended to 15 pages.

Wherefore, it is respectfully requested that the time for defendants to file their reply brief in support of their motion to dismiss the complaint be extended to February 8, 2008 and that the page limit for defendants' reply be extended to 15 pages.

Respectfully submitted,

Maria Barous Hartofilis
MARIA BAROUS HARTOFILIS
Assistant Attorney General

cc: Anthony M. Giordano
Plaintiff's counsel
By facsimile

Application Granted

SO ORDERED
Dated:

Barbara S. Jones
BARBARA S. JONES
U.S.D.J.

2-1-08